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1636
PATENT
Attorney Docket No. STONYB-04970

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JUL 25 2002

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick Hearing *et al.*
Serial No.: 09/782,378
Filed: 02/12/01
Entitled: Hybrid Adenovirus Vectors

Group No.: 1636
Examiner: G. Leffers

AMENDMENT TRANSMITTAL

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(I)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Dated: <u>July 15, 2002</u>	By: <u>Traci E. Light</u>

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	14	—	20	0	×	18.00	\$0.00
Independent Claims	5	—	5	0	×	84.00	\$0.00

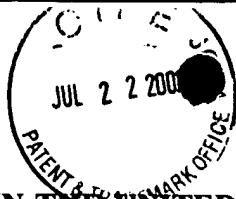
TOTAL DUE 0.00

1. No additional fee is required.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: July 15, 2002

By: Peter G. Carroll
Registration No. 32,837

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
415/904-6500



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#8

RESTRICTION REQUIREMENT ELECTION
AND RESPONSE TO OFFICE ACTION
MAILED JUNE 13, 2002

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JUL 25 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Dated: July 15, 2002

By: Traci E. Light
Traci E. Light

Sir or Madam:

Please enter the following on the record in response to the above cited Office Action mailed on June 13, 2002. The response is timely since July 13th, 2002 was a Saturday.

REMARKS

The Examiner has stated that the application, as filed, is subject to a restriction requirement and requires an election of one of three claim groupings. The Examiner has divided the claims of the pending application into three groups that "... are biologically and functionally distinct from one another, and thus one does not render the others obvious." *Office Action, pg 2 ln 10-11.* Specifically, the Examiner suggests that Group I consists of Claims 1-5, 11, 12-19, Group II consists of Claims 6-8 and Group III consists of Claims 6-7 & 9-10. The Applicants elect, without traverse, to prosecute Group I. The Applicants reserve the right to request reconsideration of the restriction (e.g. dependent claims such as Claim 6) if the independent claims are found allowable. Should the Examiner believe that a telephone